



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

**REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
FEBRUARY 13, 2003
9:00 A.M.**

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul, Luis G. Sariñana and Anthony Cobos. Late Arrival: Representative Paul J. Escobar. Absent: None. Meeting was called to order and the invocation was given by Police Chaplain Clift Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

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No action was taken on the discussion and action on the City of El Paso to stop the process and not signing the contract that authorizes the execution of the contract agreement with ING and City of El Paso; having two 457 Deferred Compensation Administrators and allowing employees to have the choice of Administrators.

Mr. Frank Delgado, President of the City employees Association, expressed the city employees' concerns and handed out a petition with City employees' signatures (on file in the City Clerks Office).

Mr. Bill Chapman, Deputy CAO of the Financial and Administrative Services/Chief Financial Officer, spoke.

Ms. Terry Ramirez, Pension Administration employee, commented.

Motion made by Representative Cook, and seconded by Representative Sariñana and unanimously carried to allow Ms. Terry Ramirez to speak longer.

Representatives Sumrall, Rodriguez and Cobos expressed questions about the Legislative Review meeting that was held in the evening.

Ms. Rita Rodriguez, City Attorney, recommended hearing public comments and then going to executive session.

Mr. Dean Kinder, 1st Vice President of the Police Association, commented on the need to get the best service no matter which company gets the contract.

Mr. Armando Juarez, citizen, expressed his concerns.

Mr. David Almonte, Director of Office of Management & Budget, responded the meeting was held and further explained that an informational meeting cannot be held until the contract is signed. He added that City Employees will not lose money

Mr. Miguel Limones, citizen, gave up his time and did not comment.

Mr. Presi Ortega, representing ING, commented on his company.

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to allow Mr. Presi Ortega to speak longer.

Ms. Rachel Escamilla, city employee, commented.

Ms. Sylvia Marquez, city employee, commented.

Mayor Caballero commented on the lack of communication and education for participants. He then requested explanation of the process.

Mr. David Almonte, Director of Office of Management & Budget, explained meetings were held with Employees' Association, requesting their input. The Association, he said, did not follow through.

NOTE: Item was moved into executive session.

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Motion made Representative Sariñana, seconded by Representative Escobar and carried to postpone until the Regular City Council Meeting of February 18, 2003 the Resolution that the City Council be authorized to accept from Jobe Concrete Products, Inc., a donation of one (1) 25 Cubic Yard rolloff container, and authorize the Mayor to sign a License Agreement between the City of El Paso and Jobe Concrete Products, Inc. to allocate a portion of the property located at 2492 Harrison to be utilized as a Citizen Collection Station, on behalf of the City of El Paso Solid Waste Management. Additionally, Jobe Concrete Products, Inc. will provide an entrance gate, barricade rails to section the area and provide landscaping for an aesthetic atmosphere. The property will serve as a Citizen Collection Station, as long as the site is used only for a collection station for the use of the residents of the City of El Paso

Mr. Richard Razo, Assistant Deputy Director Solid Waste Management, explained the reasons for requesting the postponement.

Representative Jan Sumrall voted Nay.

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Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.

(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

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Motion made, seconded and unanimously carried to move to the regular agenda the following.

RESOLUTION

A RESOLUTION RELATING TO THE GIVING OF NOTICE OF INTENTION TO ISSUE CITY OF EL PASO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2003

WHEREAS, the City of El Paso, Texas (the "City"), pursuant to Chapter 271, Subchapter C, Texas Local Government Code, as amended, is authorized to issue its certificates of obligation for the purpose of paying contractual obligations to be incurred for the purposes set forth below; and

WHEREAS, the City Council of the City has found and determined that a notice of intention to issue certificates of obligation should be published in accordance with the requirements of applicable law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, THAT:

Section 1. The findings and determinations set forth in the preambles hereto are hereby incorporated by reference for all purposes.

Section 2. The City Clerk of the City is hereby authorized and directed to issue a notice of intention to issue certificates of obligation in substantially the form attached hereto as Exhibit A (Exhibit A on file in the City Clerk's Office).

Section 3. The foregoing notice shall be published once a week for two consecutive weeks, the date of the first publication being not less than the fourteenth (14th) day prior to the date set forth in the foregoing notice for passage of the ordinance authorizing the Combination Tax and Revenue Certificates of Obligation. Such notice shall be published in a newspaper of general circulation in the area of the City of El Paso, Texas.

Section 4. That this resolution shall take effect from and after the date of its passage.

Representative Cobos expressed his opposition to issuing certificates of obligation for long-term debt.

Mr. Ray Gilbert, citizen, suggested to have a bond election.

Representative Medina asked questions about interest rates.

Mr. Bill Chapman, Deputy CAO of Financial & Administrative Services/Chief Financial Officer, explained that interest rates are at their lowest in a long time.

Mr. Hector Zavaleta, citizen, commented.

Motion made by Representative Sariñana, seconded by Representative Power and carried to approve the above Resolution.

Representative Cobos voted NAY.

Representatives Sumrall and Escobar were not present for the vote.

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***RESOLUTION**

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso City Code, the City Council of the City of El Paso, by Resolution dated the 12th day of November 2002, after due notice and hearing, ordered MARIA HORTEN AND MARGARET H. VARA, record Owners of the hereinafter described property that the Building be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso to proceed to demolish the Building and clean the premises of all weeds, trash, and debris.

WHEREAS, the Deputy Director for Building Services Department has reported the cost of doing such work in the amount hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

***RESOLUTION**

WHEREAS, the City Council has authorized the City Attorney or her designee to negotiate with the owners of the Property legally described as being Tracts 2A, 2B, 2C, 2D, 2D1, 2D2 and 2E, Elijah Bennett Survey No. 11, City of El Paso, El Paso County, Texas, containing approximately 10.176 acres of land more or less.

WHEREAS, the City Council finds that it is in the interest of the citizens and serves a public purpose to purchase the property.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Appraisal Services by and between the CITY OF EL PASO and RALPH SELLERS & ASSOCIATES for an appraisal to establish value for the Property legally described as being Tracts 2A, 2B, 2C, 2D, 2D1, 2D2 and 2E, Elijah Bennett Survey No. 11, City of El Paso, El Paso County, Texas, containing approximately 10.176 acres of land more or less.

***RESOLUTION**

WHEREAS, the City of El Paso is actively seeking to implement international service, which includes service into Juarez, Chihuahua, Mexico, which requires the submission of an application to the Mexican Government and other related Mexican legal services; and

WHEREAS, the City of El Paso requires legal representation in Mexico for the submission of the application noted above and other related legal services, pursuant to Mexican Law, and a power of attorney is required to certify Maria Isabel Sanchez Quirarte as the authorized legal representative of the City of El Paso; and

WHEREAS, the City of El Paso previously executed a power of attorney for the legal services of Maria Isabel Sanchez Quirarte on behalf of the law firm of Enriquez, Gonzalez, Aguirre y Ochoa, S.C. and Maria Isabel Sanchez Quirarte has left the law firm of Enriquez, Gonzalez, Aguirre y Ochoa, S.C., and has joined the firm of Lexcorp Abogados of Juarez, Chihuahua, Mexico;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

That the Mayor be authorized to sign, on behalf of the City Council of the City of El Paso, a power of attorney authorizing Maria Isabel Sanchez Quirarte of the Mexican law firm of Lexcorp Abogados, as the City of El Paso's legal representative in Mexico, as recommended by the City Attorney's Office and as related to international service; and that the Mayor be authorized to sign any related documentation. There is no cost associated with this authority.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City of El Paso be authorized to hire Maria Isabel Sanchez Quirarte of the Mexican law firm of Lexcorp Abogados, to provide legal services regarding Mexican laws and regulations applicable to the City, as related to international transit service, and as recommended by the City Attorney; and that the Mayor be authorized to sign, on behalf of the City, any related documentation. The total cost for such services shall not exceed the amount of TWENTY THOUSAND DOLLARS AND 00/100 (\$20,000.00).

Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City of El Paso authorize the City Attorney's Office to negotiate a contract with Scott Bergthold for professional legal services in connection with the Adult Business Ordinance, and as recommended by the City Attorney; and that the Mayor be authorized to sign, on behalf of the City, any related documentation.

Representative Cobos questioned if the firm was local.

Ms. Laura Gordon, First Assistant Attorney, gave the particulars.

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

Representatives Sumrall and Escobar were not present for the vote.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Interlocal Agreement with El Paso Community College, the Upper Rio Grande Workforce Development Board, and the Greater El Paso Chamber of Commerce for cooperation in the establishment and operation of a Transition Adjustment and Career Education (TACE) Center within the existing Administrative and Apprentice Training Offices of El Paso Community College, to assist students with disabilities in their transition from high school to a post-secondary setting.

There being no public comment, the vote was taken.

Motion made by Representative Power, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

Representatives Sumrall and Escobar were not present for the vote.

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***RESOLUTION IN SUPPORT
OF ARID LANDS WATER RESEARCH
AT TEXAS A&M AGRICULTURAL EXPERIMENT STATION
EL PASO, TEXAS**

WHEREAS, the Chihuahua Desert and El Paso County have the most arid region in Texas; and

WHEREAS, water is increasingly our most valuable commodity; and

WHEREAS, quality research is ever more important to efficient and cost effective use of this commodity, and Texas should lead this effort; and

WHEREAS, Texas A&M University has long held a leadership position in the International Arid Lands Consortium and El Paso is the ideal site to expand its capacity to do arid area research in Texas as set forth in the Texas A&M University System exceptional item description attached.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That, the City of El Paso does hereby unanimously endorse and support the Texas A&M Agricultural Experiment Station Legislative Appropriation Request to expand capacity to support effective quality research and investigation in issues important to arid areas to include:

- water conservation;
- re-use technologies
- desalinization; and
- uses for brackish and reclaimed water.

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***R E S O L U T I O N**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A REVISED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF EL PASO AND THE TRANSPORTATION POLICY BOARD OF THE METROPOLITAN PLANNING ORGANIZATION TO PROVIDE FOR ADMINISTRATIVE SUPPORT AND OTHER GENERAL SERVICES TO THE TRANSPORTATION POLICY BOARD BY THE CITY AS FISCAL AGENT.

WHEREAS, the City and the Transportation Policy Board (TPB) entered into a Memorandum of Understanding January 25th, 2000, to set forth the administrative support and other general services to be accomplished for the TPB by the City as Fiscal Agent;

WHEREAS, at the meeting of July 27, 2001, the TPB voted to amend the Agreement through the City of El Paso and authorized the Chair of the TPB to sign the Agreement.

NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign on behalf of the City, a revised Memorandum of Understanding between the City of El Paso, Texas, and the Transportation Policy Board of the Metropolitan Planning Organization, for the provision of administrative support and other general services to the Transportation Policy Board by the City as Fiscal Agent.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement by and between the City of El Paso and the El Paso Empowerment Zone Corporation (EPEZC), a Texas non-profit corporation, for relocation services to be provided by the City to the EPEZC and its subrecipients under the Empowerment Zone grant.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Amendment to the Fiscal Year 2002 Emergency Shelter Grant (ESG) Contract between the City of El Paso and the El Paso Community Mental Health & Mental Retardation Center. The Amendment will allow for a transfer of \$9,944.00 between budget line items to necessitate the timely expenditure of grant funds. The Contract amount of \$21,510 and the Contract termination date of August 31, 2003 remain unchanged.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City, be authorized to accept a donation of Five-Hundred Thousand Dollars and No Cents (\$500,000) from Sunland Park Racetrack and Casino to be used for the Sunland Park Drive Improvement Project, as more fully described in Attachment A (Attachment A on file in the City Clerk's office).

Representative Cobos questioned if the riverband will be encroached.

Mr. Ed Drusina, Deputy CAO of Municipal Services, responded no and gave the particulars.

Motion made by Representative Cobos, seconded by Representative Power and unanimously carried to approve the above Resolution.

Representatives Sumrall and Escobar were not present to vote.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve wine in the premises.

Event:	Program/Presentation
Licensee:	El Paso Holocaust Museum and Study Center
Date:	February 20, 2003
Time:	7:30 p.m. - 9:30 p.m.
Charge for Space:	\$400.00
Charge for Staff (est.):	\$120.00
Area(s):	Auditorium

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application, including all understandings and assurances contained therein, to the Office of the Governor, Criminal Justice Division for Criminal Justice Planning grant funds in the revised amount of \$15,489.00 to pay for training, travel and the printing of domestic abuse information brochures by the Police Department. No matching funds required. The Grant Officials will be as named within the application.

That the El Paso City Council agrees in the event of loss or misuse of Criminal Justice Division Grant funds, the funds will be returned to the Office of the Governor, Criminal Justice Division, in full.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Interlocal Agreement by and between the County of El Paso and the City of El Paso for the establishment of a combined records information management enterprise system for law enforcement information sharing and by which the City will participate in the system and purchase necessary equipment for the City through the County's procurement efforts that will enable the City to obtain a system that will serve the City's needs which will also be capable of independent operation, if necessary, in an amount not to exceed \$1,400,000.00.

NOTE: Interlocal Agreement was revised, page 8, paragraph F.1, should read "Crime Steering Committee".

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Request authorization to transfer \$2,000.00 from District #7 discretionary funds to the Parks & Recreation Department to assist with the Grand Opening of the **CAROLINA SKATE PARK** to be held on Saturday, March 29, 2003.

***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 4th day of March, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 2808 Grant Avenue, in El Paso, Texas, which property is more particularly described as:

Lots: 11 and 12, Block C, Alamo Heights Addition.

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Adalee Crutchfield, AKA Adalee C. Lowe, 2808 Grant Avenue, El Paso, Texas 79903, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;

II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;

III) the Owner may be confined in jail as permitted by state law and;

IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 4th day of March, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 1812 E. Yandell Drive, in El Paso, Texas, which property is more particularly described as:

Lots: The East 13.98 feet of Lot 8 and the West 15.5 feet of Lot 9, Block 56, Franklin Heights, Addition to the City of El Paso, El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Jorge Sanchez, 1812 E. Yandell Drive, El Paso, Texas 79902, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 4th day of March, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3501 Keltner Avenue, in El Paso, Texas, which property is more particularly described as:

Lots: 1 through 16, inclusive, Block 88B, First Revised Plat of Logan Heights Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 12, Page 37, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Sadeco, Inc., 3501 Keltner Avenue, El Paso, Texas 79904, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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*Motion made, seconded and unanimously carried to approve the request to fill the following position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Police Trainee (35)

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*Motion made, seconded and unanimously carried to appoint Kenneth Gorski to the Architect and Engineer Selection Committee by Mayor Raymond C. Caballero.

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*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #N525-999-0010-4405, \$397.85 per month installments on a balance of \$4,774.20 for 1999, 2000 & 2001 taxes; Apolinar & Maria T Montes – 9270 Roseway.
- B. PID #'s M436-999-0110-0100, M436-999-0110-0700, M436-999-0110-1300, M436-999-0110-1900 & 0540-999-0000-0000, \$702.39 per month installments on a balance of \$25,286.04 for 1998, 1999, 2000 & 2001 taxes; Sanitary Plumbing & Heating – 3202 N. Piedras St.

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*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Sierra Title Company in the amount of \$1,663.80, overpayment of 2002 taxes.
(PID #A642-999-028A-4700)

- B. ABN AMRO Mortgage Group Inc. in the amount of \$4,420.44, overpayment of 2002 taxes.
(PID #C340-999-1490-2100)
- C. Raul & Ruth Telles in the amount of \$2,198.45, overpayment of 2002 taxes.
(PID #M771-999-0280-1800)
- D. Flavia Carrera in the amount of \$1,329.87, overpayment of 2002 taxes.
(PID #M851-999-0890-4300)
- E. Thomas A. & Elva M. Davis in the amount of \$853.63, overpayment of 2002 taxes.
(PID #S162-999-0230-1300)
- F. Gloria & Santiago Castaneda, Santiago Jr. & Gloria I. Castaneda in the amount of \$1,724.22, overpayment of 2002 taxes. (PID #S231-999-0220-1700)
- G. Cammi E. Lynch in the amount of \$1,649.25, overpayment of 2002 taxes.
(PID #S502-999-0050-0800)
- H. Del Norte Title Co. in the amount of \$2,862.84, overpayment of 2002 taxes.
(PID #T213-999-0120-0600)
- I. Kylie Bayona & Ceasar Bayona in the amount of \$819.99, overpayment of 2002 taxes.
(PID #T281-999-0060-9000)
- J. Rodolfo & Maria Portillo in the amount of \$1,393.77, overpayment of 2002 taxes.
(PID #V655-999-0090-0050)
- K. Ruben Rascon in the amount of \$3,356.72, overpayment of 2002 taxes.
(PID #V893-999-572A-2800)
- L. Sylvia M. & Eric D. Maule in the amount of \$3,243.87, overpayment of 2001 taxes.
(PID #V893-999-5570-1100)
- M. Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,990.40, overpayment of 2002 taxes. (PID #V897-999-0910-6700)
- N. Rudy & Sandra Galvez in the amount of \$2,342.13, overpayment of 2002 taxes.
(PID #V897-999-1050-0900)

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Motion made, seconded and unanimously carried to move to the regular agenda Bid No: 2003-050 Police Vehicles.

Mr. Ray Gilbert, citizen, was not present to speak.

There being no further public comment, the vote was taken.

Motion made by Representative Sariñana, seconded by Representative Power and unanimously carried to award Bid No. 2003-050 Police Vehicles.

Representatives Sumrall and Escobar were not present to vote.

Award to:	Vendor 1:	Casa Ford Inc. El Paso, Texas
Item (s):		Group A, Items 1, 3, 4, 5, 6, 7, 8 and 9 Group B, Items 2, 3, and 4
Amount:		\$1,958,448.00 (estimated annual expenditure)
Initial Purchase:		\$1,642,961.74
Award to:	Vendor 2:	Rudolph Chevrolet LP El Paso, Texas
Item (s):		Group A, Item 2 Group B, Item 1
Amount:		\$277,500.00 (estimated annual expenditure)
Initial Purchase:		\$277,550.00

Department: Police
 Funds available: 04252003-27260-PMB0004130-508006
 Funding source: FY03 Certificates of Obligation
 Total award: \$1,920,461.74

The Fleet Services, Police and Purchasing Departments recommend award as indicated to the best value procurements.

These are requirements type contracts. The term of these agreements shall be through the manufacturer's build-out date for model year 2003 vehicles. Casa Ford Inc. has offered the City the option of extending the term of their contract through the manufacturer's build-out date for model year 2004 and 2005 vehicles at the same unit prices. Rudolph Chevrolet offers no option to extend the term of their contract. Staff is recommending that the award be for the initial purchases, as indicated above, the requirements contracts, and for the two (2) options to extend for Casa Ford Inc. Neither vendor offers a prompt payment discount.

.....
 *Motion made, seconded and unanimously carried to award Bid No.: 2003-067 City-County Health Administration Phase I Construction.

Contractor: Dantex Construction Company
 El Paso, Texas
 Department: Health Department
 Funds Available: 31250204/PPW0203/60503/508002
 Funding Source: FY02 Certificate of Obligations
 Items: Base Bid I \$2,225,000.00
 Base Bid II (Unit Price) \$ 1,800.47
 Alternate No. 1 \$ 4,700.00
 Alternate No. 2 \$ 55,300.00
 Total Award: \$2,286,800.47

The Departments of Purchasing, Engineering and Health recommend the award of this contract to Dantex Construction Company as this offeror has provided the Best Value Offer. It is requested that the Mayor of the City of El Paso be authorized to sign the contract approved by the City Engineer, Contract Compliance and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of the unit price at the end of the contract term.

Note: Funding source was revised from Municipal Services to "FY 02 Certificates of Obligation".

.....
 *Motion made, seconded and unanimously carried to delete Bid No. 2003-063 Collection Services – Municipal Court

Award to: GC Services Limited Partnership
 Houston, Texas
 Item (s): All
 Amount: \$23,000,000.00 (estimated annual revenue)

Department: Municipal Court
 Funds available: 011010011-01101-50221
 Funding source: General Fund – Billing/Collection Contracts
 Total award: \$23,000,000.00 (estimated annual revenue)

Municipal Court, Evaluation Committee and Purchasing recommend award as indicated as this vendor has provided the Best Value Bid and meets the City’s requirements.

This is a five-year (5) contract with no option to extend the contract.

.....
 Motion made, seconded and unanimously carried to move into Executive Session of the regular agenda Bid No. 2003-049 Workers’ Compensation 3rd Party Administrator.

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to award Bid No. 2003-049 Workers’ Compensation 3rd Party Administration.

Award to: Ward North America Inc.
 Dallas, TX
 Item (s): All
 Amount: \$965,666.00 (estimate / 1 year)
 Department: Insurance
 Funds available: 99100255-45122-502200
 Funding source: Worker’s Compensation – Benefits Administrators
 Total award: \$965,666.00 (estimate / 1 year)

The Insurance Department and the Review Committee based on evaluation factors established for this procurement, recommend award to Ward North America, Inc.

This is a three (3) year contract with the option to extend the contract for two additional one-year periods.

Additionally, it is requested authorization for City staff to negotiate, City Attorney’s Office to review any related contract documents and agreements necessary.

Representative Sumrall was not present for the vote.

.....
 *Motion made, seconded and unanimously carried to award Bid No.: 2003-010 New and Old Blackie Chesher Park Improvements.

Contractor: Baner General Contractors, Inc
 El Paso, TX 79932
 Department: Parks and Recreation
 Funds Available: 31130550-PPW0046022-60027-508027
 (Zaragoza)
 31130550-PPW0046023-60047-508027
 (Blackie Chesher)
 Funding Source: Quality of Life Bonds
 Items: Base Bid \$2,554,000.00
 Alternate #3 \$ 254,000.00
 Alternate #3A \$ 400.00
 Alternate #4 \$ 68,000.00
 Alternate #12 \$ 12,500.00
 Total Award: \$2,888,900.00

RECOMMENDATION:

The Departments of Purchasing, Engineering, and Parks and Recreation recommend the award of this contract to BANES GENERAL CONTRACTORS, INC., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

1. Lump Sum Component

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

2. Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

.....
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2003-060 Citywide Repair or Construction of Parkway Structures 2003/2004 Base Bid I.

Representative Sariñana explained that for many years contractors were allowed to engrave their company name onto the concrete. But the last administration disapproved the practice. He questioned if the practice could get reinstated.

Mr. Charlie McNabb, Chief Administrative Officer, responded that a complaint was made that free advertising was being allowed and that is why the practice was changed.

Representative Medina stated that it is a matter of pride; architects and engineers have this practice, it is a matter of fair play.

Mr. Daryl Cole, Director of Streets, commented.

Motion made by Representative Sariñana, seconded by Representative Medina and carried to postpone until the Regular City Council Meeting of February 18, 2003 Bid No.: 2003-060 Citywide Repair or Construction Of Parkway Structures 2003/2004 Base Bid I.

Contractor:	J A R Concrete Inc. El Paso, Texas
Department:	Street Department
Funds Available:	G600441/G600447/60600011/508034
Funding Source:	General Revenue, CD and FTA
Items:	Base Bid I \$1,844,245.00
Total Award:	\$1,844,245.00

The Departments of Purchasing, Engineering and Street Department recommend the award of this contract to J A R Concrete Inc., the next lowest responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

Unit Price Component:

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

NAYS: Representatives Rose Rodriguez, John Cook, and Daniel Power.
AYES: Representatives Larry Medina, Luis Sariñana, and Anthony Cobos.
Mayor Raymond C. Caballero voted AYE to break the tie.
Representatives Jan Sumrall and Paul J. Escobar were not present for the vote.

.....
Motion made, seconded and unanimously carried to move to regular agenda Bid No. 2003-060 Citywide Repair or Construction of Parkway Structures. 2003/2004 Base Bid II.

There being no public comment, the vote was taken.

Motion made by Representative Sariñana, seconded by Representative Medina and unanimously carried to award Bid No. 2003-060 Citywide Repair or Construction of Parkway Structures 2003/2004 Base Bid II.

Contractor:	Silverton Construction Co. Inc.
	El Paso, Texas
Department:	Street Department
Funds Available:	G600441/G600447/60600011/508034
Funding Source:	General Revenue, CD and FTA
Items:	Base Bid II \$999,466.71
Total Award:	\$999,466.71

The Departments of Engineering, Streets, and Purchasing recommend the award to Silverton Construction Co. Inc. the lowest responsible, responsive bidder and recommends that the technical defect in the vendor's offer be waived. It is also requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term. As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Representatives Sumrall and Escobar were not present to vote.

.....

*Motion made, seconded and unanimously carried to approve budget transfer BT2003-325 AIRPORT

Transfer funds to cover anticipated water use for Fiscal Year 2003 per analysis of account.

Increase	\$10,400	to	62620004/40101/504101	Water
Increase	\$10,400	to	62620004/40101/407001	Intrfd Trf In
Increase	\$10,400	to	62620018/P50000241021/407002	Est Rev
Increase	\$10,400	to	62620018/P50000241021/507001	Intrfd Trf Out

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-327 MUNICIPAL CLERK

To increase budget for purchase of hardware including server, pc's, scanner and Epson printers. This is a dedicated revenue fund by the Legislative for Court Technology.

Decrease	\$60,000	from	11153060/16011/507002	Est Rev
Increase	\$60,000	to	11153060/16011/508010	DataProcEq

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-329 MUSEUM
To appropriate funds donated by Mr. and Mrs. Jim Mortensen for the purchase of 3 John Dunn Paintings.

Increase	\$4,800	to	54154001/G54000607401/405060	Donations
Increase	\$4,800	to	54154001/G54000607401/508011	Cultural Wrks

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-330 AIRPORT

Budget transfer to cover travel for ARFF to Salt Lake City for live fire training as required by FAA for certification. This is a back up plan in case approval from the FAA and Fort Bliss to use the Fort Bliss facility is not received before April 2003, which is the certification deadline.

Increase	\$45,000	to	62620010/40101/504201	Travel
Increase	\$45,000	to	62620010/40101/407001	Intrafd Trf In
Increase	\$45,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$45,000	to	62620018/P50000241021/507001	Intrafd Trf Out

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2003-332 PARKS AND RECREATION

This budget transfer establishes the appropriation for hosting the 2003 TAAF (Texas Amateur Athletic Federation) Conference in El Paso. The Conference will be in September, hosted by Parks & Recreation, and be funded by participant fees & donations.

Increase	\$1,300	to	51511099/P50024916337/405060	Donations
Increase	\$9,400	to	51511099/P50024916337/405067	Reimb Exp
Increase	\$ 800	to	51511099/P50024916337/503115	Food & Bev
Increase	\$ 800	to	51511099/P50024916337/503116	Rec Sup
Increase	\$9,100	to	51511099/P50024916337/504422	Field Trips

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT 2003-339 MUNICIPAL SERVICES

Municipal Services proposes to appropriate \$1,000,000 to fund purchase of Library Materials. Funding source is 2000 Quality of Life Authorization. District-Citywide.

Increase	\$1,000,000	to	31130613/PPW005600360048/407020	Bond Proc
Increase	\$1,000,000	to	31130613/PPW005600360048/508039	LibBks

*Motion made, seconded and unanimously carried to postpone until the Regular City Council Meeting of February 18, 2003 an Ordinance amending Title 18 (Buildings and Construction) of the El Paso Municipal Code, by amending Chapter 18.08 (Building Code) by amending Section 18.08.050 (Section 501.2 Amended – Premises Identification), to modify the requirements for building numbering, the penalty being as provided in Section 18.04.107 of the Code.

ORDINANCE 15345

The City Clerk called for public comment. There was no public comment.

AYES: Representatives Sumrall, Cobos, Rodriguez, Cook, Mediana, Power Sariñana and Escobar.
NAYS: None Absent: None

Delinquent taxes in the amount of \$4,446.19 for years 2001 and 2003.

Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of December 3, 2002, for the property located at 125 N. Glenwood Street, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owner(s) of this property, Estate of Delia Sanchez De Ulloa, 5765 Band Court, El Paso, Texas 79905, have been notified of the violations at this property.

Motion made Representative Sumrall, seconded by Representative Cobos and unanimously carried to approve Conditional "B" building permits for Resler Estates based on a finding of economic hardship.

Representative Sumrall asked questions.

Mr. Conrad Conde, citizen, provided explanation.

.....
Motion made Representative Power, seconded by Representative Escobar and unanimously carried to approve Conditional "B" building permits for Park Hills Unit Three based on a finding of economic hardship.

Mr. Conrad Conde, citizen, provided explanation.

.....
Motion made by Representative Power, seconded by Representative Escobar and unanimously carried to approve Conditional "B" building permits for Sombras Del Sol Unit Two based on a finding of economic hardship.

.....
Motion made by Representative Power, seconded by Representative Escobar and unanimously carried to approve Conditional "B" building permits for Sun Ridge Unit Fourteen based on a finding of economic hardship.

.....
Motion made by Representative Power, seconded by Representative Escobar to approve Conditional "B" building permits for Maria Seanes Estates Unit One based on a finding of economic hardship.

.....
Motion made by Representative Escobar, seconded by Representative Sumrall and unanimously carried to direct staff to bring back the discussion and, action on the name change request submitted by local air traffic controllers and commence the city-initiated process of a street name change of Centurion Drive to Shuttle Columbia.

Representative Power expressed his support for the name change from Centurion to Shuttle Columbia in commemoration of the Shuttle tragedy.

Ms. Rita Rodriguez, City Attorney, suggested to delete the item and bring it back at another time for consideration.

Ms. Pat Adaauto, Director of Planning, Research & Development, commented.

.....
Motion made by Representative Rodriguez, seconded by Representative Escobar and unanimously carried to authorize the City-County Health & Environmental District to sign and submit an application and any related documents, for a special use permit for a governmental use permitting a new animal control facility located on Fred Wilson Drive; and that the Planning, Research & Development Department be authorized to accept and process such application.

.....
No action was taken on the presentation by the U.S. Bureau of Reclamation on the snowpack and predicted runoff conditions in the Rio Grande Watershed.

See discussion on pages 23 through 24.

NOTE: This item was discussed together with the following item: Consider and approve amendments to the Drought and Water Emergency Management Response Plan as requested by the Public Service Board and recommended by the El Paso Water Utilities Citizens Public Working Committee.

.....
Motion made by Representative Medina, seconded by Representative Power and carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance permitting Sofia Gonzalez to use a portion of Eastwood (Album) Park from 1:30 PM to 4:30 PM on March 1, 2003 for a birthday party.
- B. An Ordinance permitting the National Kidney Foundation of West Texas, Inc. to use Eastwood Album Park from 7:00 AM until 12:00 PM on April 26, 2003.

PUBLIC HEARING WILL BE HELD ON FEBRUARY 25, 2003 FOR ITEMS A-B

- C. An Ordinance amending the El Paso Municipal Code, Title 15 (Public Services), Chapter 15.13.140 Drought and Water Emergency Management Response Plan to adopt the revised plan dated November, 2002.

PUBLIC HEARING WILL BE HELD ON MARCH 4, 2003 FOR ITEM C

Public Hearings will be held as part of the regular City Council meeting, which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

- D. An Ordinance of the City Council of the City of El Paso, Texas, calling a Special Election for the submission of Charter Amendments to be held within the City, making provisions for the conduct of the election and other provisions incident and related to the purpose of this Ordinance.

PUBLIC HEARINGS WILL BE HELD ON FRIDAY, FEBRUARY 21, 2003 AT 6:00 PM AND TUESDAY, FEBRUARY 25, 2003 AT 9:00 AM FOR ITEM D

Public Hearings will be held as part of a Special City Council meeting on Friday, February 21, 2003 which will begin at approximately 6:00 PM in the Council Chambers, 2nd Floor of City Hall, 2 Civic Center Plaza and as part of the regular City Council meeting on Tuesday, February 25, 2003, which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Representatives Larry Medina and Paul J. Escobar voted Nay.

Representative Sumrall was not present for the vote.

ADDITION TO THE AGENDA

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to delete PATRIOT ACT briefing and University of Phoenix signs and protest. [Lee White]

No action was taken regarding USA PATRIOT ACT briefing (United Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism). [Michael Sargent]

Mr. Michael Sargent, citizen, asked council to draft a proposal to protect El Pasoans regarding Federal bills that were passed, as other cities have already passed resolutions.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Consent to Assignment and Amendment of Lease between the City of El Paso ("Lessor"), Airport Industrial Leasehold ("Assignor"), and LFCW, LLC ("Assignee") covering the following property:

Lots 3 and 4, and a Portion of Lot 2, Block 1A El Paso International Airport Tracts, Replat of Unit 4, City of El Paso, El Paso County, Texas, containing 165,650 sq. ft. of land more or less, commonly known as 6440 Airport Road, El Paso, El Paso County, Texas.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Lessor's Approval of Assignment between the City of El Paso ("Lessor"), Airport Industrial Leasehold, a Joint Venture comprised of Towner Leeper, Robert F. Haynesworth and Gary Crossland ("Assignor"), and Mesilla Properties I, Ltd. ("Assignee") covering the following property:

A portion of Lots 1, 2 and 6 and all of Lots 3, 5 and 7, Block 2B, El Paso International Airport Tracts, Replat of Unit 4 in the City of El Paso, Texas, Containing 162,109.02 sq. ft. of land more or less, municipally known as 6400 Airport Road, El Paso, El Paso County, Texas.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Consent to Assignment and Amendment of Lease between the City of El Paso ("Lessor"), Airport Industrial Leasehold ("Assignor"), and Mesilla Properties I, Ltd. ("Assignee") covering the following property:

A portion of Lot 2, Block 1A, and a portion of Lots 1, 2 and 6, Block 2B, El Paso International Airport Tracts, Replat of Unit 4, City of El Paso, El Paso County, Texas, consisting of 77,924.10 sq. ft. of land more or less, commonly known as 6410 Airport Road, El Paso, El Paso County Texas.

*Motion made, seconded and unanimously carried to authorize the use of District 5 discretionary funds in the amount of \$285.00 for purchase of Pet Waste Station to be used at Eastside Bark Park.

*Motion made, seconded and unanimously carried to accept the resignation of Bill Davidson from the Airport Board by Representative Jan Sumrall.

*Motion made, seconded and unanimously carried to appoint Lorraine Wardy to the Airport Board by Representative Jan Sumrall.

Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2003-063 Collection Services –Municipal Court.

Motion made by Representative Power, seconded by Representative Cook and carried to award Bid No. 2003-063 Collection Services – Municipal Court

Award to:	GC Services Limited Partnership Houston, Texas
Item (s):	All
Amount:	\$48,000.00 (estimated monthly fee)
Department:	Municipal Court
Funds available:	011010011-01101-50221
Funding source:	General Fund – Billing/Collection Contracts
Total award:	\$48,000.00 (estimated monthly fee)

Municipal Court, Evaluation Committee and Purchasing recommend award as indicated as this vendor has provided the Best Value Bid and meets the City's requirements.

This is a five-year (5) contract with no option to extend the contract.

Representative Sariñana asked if this is new legislation.

Ms. Richarda Duffy Momsen, Municipal Clerk, gave the particulars of the contract and provided an explanation.

Representative Sariñana questioned if the city could continue with the existing contract on a month to month basis.

Ms. Rita Rodriguez, City Attorney, gave legal advice.

Representative Sariñana voted Nay.

Representatives Sumrall, Escobar, and Cobos were not present for the vote.

.....
RESOLUTION

RESOLUTION APPROVING AMENDMENTS TO THE EL PASO DROUGHT AND WATER EMERGENCY MANAGEMENT RESPONSE PLAN PURSUANT TO THE RECOMMENDATIONS OF THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD AND THE EL PASO WATER UTILITIES CITIZENS PUBLIC WORKING COMMITTEE.

WHEREAS, the El Paso City Council by Resolution of September 4, 2002, declared that Stage 1 drought conservation methods contained in the Drought and Water Emergency Management Response Plan, Title 15, Chapter 15.13.140 of the City Water Conservation Code be adopted and implemented effective September 9, 2002, for the City of El Paso; and,

WHEREAS, said Resolution also directed that the response actions for Stages 1, 2 and 3, of the Drought and Water Emergency Management Response Plan be sent to the El Paso Water Utilities citizens Public Working Committee for review and recommended changes: and,

WHEREAS, the Public Working Committee met several times in October 2002, to review the stages and prepare recommended changes and the Public Service Board approved the Public Working Committee's Report at its November 13, 2002, meeting; **NOW THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS THAT:

The Amendment to the Drought and Water Emergency Management Response Plan, attached hereto as Exhibit "A" (Exhibit "A" on file in the City Clerk's Office) are hereby approved.

Mr. Bert Cortez, U.S. Bureau of Reclamation, gave a presentation and information on the delivery of water to Mexico under the year 1906 Treaty.

Mr. Wayne M. Treers, US Department of the Interior, Bureau of Reclamation, gave a presentation.

Mr. Ed Archuleta, General Manager of the Public Service Board, made comments for the stage 2 Drought Emergency Plan.

Mr. Luis Sito, Director of Environmental Services for the El Paso Electric Company, commented. Mayor Caballero questioned what would happen if the plan was not implemented for stage 1.

Mr. Archuleta, explained that he would probably come back on March 4, 2003, to request stage 2 be declared after going to the PSB Board.

Representative Cook questioned if voluntary cooperation and compliance under stage 1 was implemented and if it would be safe to say stage 2 would not be needed.

Mr. Ed Fiffer, General Manager of El Paso County Water Improvement District #1, expressed his concerns.

Ms. Theresa Caballero, citizen, expressed concerns in opposition.

Motion made by representative Sariñana, seconded by Representative Cobos and unanimously carried to allow Ms. Caballero to speak longer.

Mr. B. Panetta, citizen, requested the plan be approved.

Mr. Dave Lenders, citizen, requested to have a Texas A & M expert inform Council on Quality of Life issues.

Mr. David Trammell, citizen, recommended raising rates with the idea that consumers would use less water.

Ms. Christine Galvez, Director of the Board of Apartment Association, stated that other measures can be taken to use less water, such as shower heads and toilets designed to use less water.

Mr. Alan Serna, representing landscapers, stated that stage 2 should not be adopted as the plan would result in the death of many lawns.

Ms. Lois Ballin, citizen, commented in favor of adopting stage 1.

Motion made by Representative Sariñana, seconded by Representative Cobos and unanimously carried to allow additional time for Ms. Lois Ballin.

Ms. Sally Homan, landscaper, supported approving the plan.

Mr. Billy Chappell, citizen, commented to postpone until questions are answered to educate and inform the public on how to save water rather than implementing restrictions.

Mr. Alex Barrio, Mayfield Pools, recommended revisions to the plan.

Representative Rodriguez suggested and requested a public town hall meeting.

Representative Cook read into the record revisions to the Resolution.

Motion made by Representative Cook, seconded by Representative Medina and carried to approve the plan as revised.

Representatives Sariñana and Cobos voted Nay.

Representative Sumrall was not present for the vote.

NOTE: This item was discussed together with the following: Presentation by the U.S. Bureau of Reclamation on the snowpack and predicted runoff conditions in the Rio Grande Watershed.

.....
No action was taken on Attorney consultation regarding El Paso Electric Company fuel cost reconciliation case. (551.071)
.....

SECOND ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move into executive session the Statement on Col. Ret. Alan Landry.

Motion made by Representative Cook, seconded by Representative Medina and carried to delete the statement on Col. Ret. Alan Landry.

Representative Rodriguez voted Nay.

Representative Sumrall was not present for the vote.

.....
Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 2:35 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. Cunningham Lindsey, 03-COL-002 (551.071)
- B. Lee Boulevard Right of Way Acquisition - TIP Roadway Construction Project. (551.072)
- C. LeVey Family, 02-C-083 (551.071)
- D. Clint Newson, 03-COL-003 (551.071)
- E. Nationwide Retirement Solutions, 03-C-028 (551.071)
- F. Maria Duran, 03-A-001 (551.071)
- G. Attorney consultation regarding El Paso Electric Company fuel cost reconciliation case. (551.071)
- H. Bid No.: 2003-049 Workers' Compensation 3rd Party Administrator
Award to: Ward North America Inc.
Dallas, TX
Item (s): All
Amount: \$965,666.00 (estimate / 1 year)
Department: Insurance
Funds available: 99100255-45122-502200
Funding source: Worker's Compensation – Benefits Administrators
Total award: \$965,666.00 (estimate / 1 year)

The Insurance Department and the Review Committee based on evaluation factors established for this procurement, recommend award to Ward North America, Inc.

This is a three (3) year contract with the option to extend the contract for two additional one-year periods.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review any related contract documents and agreements necessary. (551.071)

I. Statement on Col. Ret. Alan Landry. (551.071)

Motion made Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn the Executive Session at 3:02 p.m. and reconvene the meeting of the City Council, during which time motions were made as follows:

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the claim be **SETTLED** as recommended by the City Attorney and that the Mayor be Authorized to sign the Release in the claim entitled **CUNNINGHAM LINDSEY; our file No. 03-COL-002**.

Representative Sumrall was not present to vote.

.....
No action was taken on Lee Boulevard Right of Way Acquisition-TIP Roadway Construction Project.

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the claim entitled **LeVey Family; Our File No. 02-C-083** be **DENIED** as recommended by the City Attorney.

Representative Sumrall was not present to vote.

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the City Attorney be **AUTHORIZED TO PURSUE COLLECTION** of debt and negotiate an agreement for collection owed by Clint Newsom in the matter entitled **CLINT NEWSOM; our file no. 03-COL-003**, as recommended by the City Attorney.

Representative Sumrall was not present to vote.

.....
No action was taken on Nationwide Retirement Solutions. 03-C-028.

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the City Settle its subrogation interest in the claim of **MARIA DURAN; Our File No. 03-C-001** as recommended by the City Attorney.

Representative Sumrall was not present to vote.

.....
No action taken on Attorney consultation regarding El Paso Electric Company fuel cost reconciliation case.

.....
Motion made by Representative Cook, seconded by Representative Power and unanimously carried to award Bid No.: 2003-049 Workers' Compensation 3rd Party Administrator

Award to:	Ward North America Inc.
	Dallas, TX
Item (s):	All
Amount:	\$965,666.00 (estimate / 1 year)
Department:	Insurance
Funds available:	99100255-45122-502200
Funding source:	Worker's Compensation – Benefits Administrators
Total award:	\$965,666.00 (estimate / 1 year)

The Insurance Department and the Review Committee based on evaluation factors established for this procurement, recommend award to Ward North America, Inc.

This is a three (3) year contract with the option to extend the contract for two additional one-year periods.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review any related contract documents and agreements necessary

.....
Motion made by Representative Cook, seconded by Representative Medina and carried to delete the statement on Col. Ret. Alan Landry.

Representative Rodriguez voted Nay.

Representative Sumrall was not present for the vote.

.....
Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 3:09 p.m.

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APPROVED AS TO CONTENT:



Richarda Duffy Momsen, City Clerk